

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

KEVIN BELL,  
Plaintiff,  
  
v.  
  
WARDEN,  
Defendant.

Case No. [21-cv-00533-HSG](#)

**ORDER OF TRANSFER**


Plaintiff, an inmate housed at Mule Creek State Prison (“MCSP”), filed this *pro se* civil rights action pursuant to 42 U.S.C. § 1983. Plaintiff requests early release due to COVID-19, and also makes the following allegations about the conditions of confinement at MSCP: he was housed with a cellmate who was exposed to COVID-19 prior to moving into Plaintiff’s cell; correctional officer Miller continued to work despite testing positive for COVID-19; correctional officer Pendleton dragged him across the dayroom; and he was housed in a cell without water and without a functioning toilet for days. Plaintiff has named as defendant “Warden”, which presumably refers to the warden of MCSP. *See generally* ECF No. 7. The events or omissions giving rise to the claim(s) occurred at Mule Creek State Prison, which is located in Amador County, which lies within the venue of the Eastern District of California. *See* 28 U.S.C. § 84(c)(b). The warden of MSCP likely resides in Amador County. There is no indication that he resides in the District of Northern California. Venue therefore properly lies in the Eastern District. *See id.* § 1391(b). Accordingly, IT IS ORDERED that, in the interest of justice and pursuant to 28 U.S.C. § 1406(a), this action be TRANSFERRED to the United States District Court for the Eastern District of California.

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The Clerk shall transfer this matter forthwith.

**IT IS SO ORDERED.**

Dated: 3/19/2021

  
HAYWOOD S. GILLIAM, JR.  
United States District Judge

United States District Court  
Northern District of California